IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
MARSHALL DIVISION

EDEKKA LLC, Plaintiff, v. **TARGET CORPORATION,** Defendant.	Case No. 2:13-cv-985 **PATENT CASE** **JURY TRIAL DEMANDED**

COMPLAINT

Plaintiff eDekka LLC files this Complaint against Target Corporation, for infringement of United States Patent No. 6,266,674 (the "'674 Patent").

PARTIES AND JURISDICTION

1. This is an action for patent infringement under Title 35 of the United States Code. Plaintiff is seeking injunctive relief as well as damages.

2. Jurisdiction is proper in this Court pursuant to 28 U.S.C. §§ 1331 (Federal Question) and 1338(a) (Patents) because this is a civil action for patent infringement arising under the United States patent statutes.

3. Plaintiff eDekka LLC ("Plaintiff" or "eDekka") is a Texas limited liability company with its principal office located in the Eastern District of Texas, at 3400 Silverstone Drive, Suite 191-A, Plano, Texas 75023.

4. Upon information and belief, Defendant Target Corporation ("Defendant") is a Minnesota corporation with a principal office located at 1000 Nicollet Mall, Minneapolis, Minnesota 55403. This Court has personal jurisdiction over Defendant because Defendant has committed, and continues to commit, acts of infringement in the state of Texas, has conducted

business in the state of Texas, has directed an interactive website at Texas, and/or has engaged in continuous and systematic activities in the state of Texas.

5. On information and belief, within the State of Texas and the Eastern District of Texas, Defendant has made and/or used the patented invention with the website(s) and functionality identified herein below. In addition, on information and belief, Defendant has derived substantial revenues from its infringing acts within the State of Texas and the Eastern District of Texas.

VENUE

6. Venue is proper in the Eastern District of Texas pursuant to 28 U.S.C. §§ 1391(c) and 1400(b) because Defendant is deemed to reside in this district. In addition, and in the alternative, Defendant has committed acts of infringement in this district.

COUNT I
(INFRINGEMENT OF UNITED STATES PATENT NO. 6,266,674)

7. Plaintiff incorporates paragraphs 1 through 6 herein by reference.

8. This cause of action arises under the patent laws of the United States, and in particular, 35 U.S.C. §§ 271, *et seq*.

9. Plaintiff is the owner by assignment of the '674 Patent with sole rights to enforce the '674 Patent and sue infringers.

10. A copy of the '674 Patent, titled "Random Access Information Retrieval Utilizing User-Defined Labels," is attached hereto as Exhibit A.

11. The '674 Patent is valid and enforceable, and it was duly issued in full compliance with Title 35 of the United States Code.

12. The '674 Patent has been forward-cited as prior art in connection with the examination of several subsequently-issued U.S. patents, including patents originally assigned to

such prominent technology companies as Verizon Patent And Licensing Inc., Verizon Business Network Services Inc., Bellsouth Intellectual Property Corp., and Agilent Technologies, Inc.

(Direct Infringement)

13. Upon information and belief, Defendant has infringed and continues to directly infringe one or more claims of the '674 Patent, including at least claims 1 and 3, by actions comprising making and/or using one or more websites that include "shopping cart" functionality, including without limitation the website www.target.com and associated subsites, web pages and functionality within that website (the "Accused Instrumentalities").

14. Defendant's actions complained of herein are causing irreparable harm and monetary damage to Plaintiff and will continue to do so unless and until Defendant is enjoined and restrained by this Court.

15. Plaintiff is in compliance with 35 U.S.C. § 287.

DEMAND FOR JURY TRIAL

Plaintiff, under Rule 38 of the Federal Rules of Civil Procedure, requests a trial by jury of all issues so triable by right.

PRAYER FOR RELIEF

WHEREFORE, Plaintiff respectfully requests the Court to:

a) Enter judgment for Plaintiff on this Complaint on all causes of action asserted herein;

b) Enjoin Defendant, its agents, officers, servants, employees, attorneys and all persons in active concert or participation with Defendant who receive notice of the order from further infringement of United States Patent No. 6,266,674;

c) Award Plaintiff damages resulting from Defendant's infringement in accordance with 35 U.S.C. § 284;

d) Award Plaintiff pre-judgment and post-judgment interest and costs; and

e) Award Plaintiff such further relief to which the Court finds Plaintiff entitled under law or equity.

Dated: November 20, 2013

Respectfully submitted,

/s/ Craig Tadlock

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